

CERTIFICATE OF MAILING

Life by certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date listed below.

Dated: January 9, 2004

Nancy L. Hug

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

CARDOSA, Mary Jane et al.

Serial No.: 09/147,919

Filing Date: March 23, 1999

For: RECOMBINANT MVA VIRUS EXPRESSING DENGUE VIRUS

ANTIGENS, AND THE USE THEREOF

IN VACCINES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Examiner: M. Mosher

Group Art Unit: 1648

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the reference listed on the attached form PTO-1449a are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make these documents of record.

I. Timing of the Information Disclosure Statement:

This Supplemental Information Disclosure Statement is filed:

With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set
forth in 37 C.F.R. § 1.491.

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Ц	Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
This Informat	tion Disclosure Statement is filed:
	After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 referencing billing No. 7003392001 for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.
This Informat	tion Disclosure Statement is filed:
	After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.
The undersign	ned certifies that:
	Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
	No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
II. Copies of	f the Cited Items:
enclosed.	Copies of all of the items listed on the attached Form PTO-1449 A & B are
	Copies of only the following items listed on the attached Form PTO-1449 are enclosed:

	Copies of the items listed in the attached Form PTO-1449 are not supplied because they (1) are issued U.S. Patents and therefore copies are not required; or (2) were previously cited by or submitted to the Patent Office in a prior Application No filed and relied upon in this application for an earlier filing date under 35 U.S.C § 120. See 37 C.F.R. § 1.98(d).
	Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.
III. Concise	Explanation of Relevance:
\boxtimes	A concise explanation of relevance of the items listed on Form PTO-1449 is not given.
	A concise explanation of relevance of [some of] the items listed on Form PTO-1449 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).
IV. Related	d Applications:
	Applicants bring to the Office's attention the following related, co-pending application(s):
V. Conclus	sion:
Citation of th	ne above documents shall not be construed as:
1	an admission that the documents are necessarily prior art with respect to the instant invention;
2.	a representation that a search has been made, other than as described above; or
3.	an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449a with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No. 50-2518, billing reference number: 2020239-7003392001 for any additional fees required in connection with the filing of this Supplemental Information Disclosure Statement.

Respectfully submitted,

Dated: January 9, 2004

Antoinette F. Konski Registration No. 34,202

Bingham McCutchen LLP Three Embarcadero Center, Suite 1800 San Francisco, California 94111-4067

Telephone: (650) 849-4950 Facsimile: (650) 849-4800

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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MFORMATION DISCLOSURE
STATEMENT BY APPLICANT

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THE TRADE

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Application Number 09/147,919

Filing Date March 23, 1999

First Named Inventor CARDOSA, Mary Jane

Art Unit 1648

Examiner Name M. Mosher

Attorney Docket Number BN 0703

(Use as many sheets as necessary)

Sheet 1 of 1 Attorney Docket Number BN C

		<u> </u>	U.S. PATENT	OCUMENTS		
Examiner	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
Initials *		Number - Kind Code ² (if known)				
	1.	US-6,440,422	08/27/02	Gerd Sutter et al.		
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	FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite	Foreign Patent Document	Publication	Name of Patentee or	Pages, Columns, Lines,	T ⁶
	No.1	Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	
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Examiner Signature	Date Considered	
Signature	 Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.